

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ENBRIDGE ENERGY, LIMITED
PARTNERSHIP, ENBRIDGE ENERGY
COMPANY, INC., and ENBRIDGE
ENERGY PARTNERS, L.P.,

No. 1:20-cv-01141-JTN-RSK
HON. JANET T. NEFF

Plaintiffs,

v

GRETCHEN WHITMER, the Governor
of the State of Michigan in her official
capacity, and DANIEL EICHINGER,
Director of the Michigan Department of
Natural Resources in his official
capacity,

Defendants.

DEFENDANTS' MOTION TO DISMISS

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Dated: January 18, 2022

Defendants Gretchen Whitmer, Governor of the State of Michigan, and Daniel Eichinger, Director of the Michigan Department of Natural Resources (“Michigan Officials”), by their counsel, Robert P. Reichel and Daniel P. Bock, Assistant Attorneys General, hereby move pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), to dismiss this action with prejudice for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted. The grounds for the motion are more fully stated in the accompanying brief in support of the motion.

Respectfully submitted,

Dana Nessel
Attorney General

Date: January 18, 2022

/s/ Robert P. Reichel
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LF: Enbridge Straits (Dec & Inj Relief)(vDNR)/AG#2020-0306464-A/Defendants’ Motion to Dismiss 2022-01-18